26 PAGES-LAST EDITION

SATURDAY, MARCH 12, 1904. SALT LAKE CITY, UTAH.

FIFTY-FOURTH YEAR.

The Leilich Charges Figure In The Smoot Investigation

FORMING A NEW POLITICAL PARTY.

To Stand Against Everything Mormon in Public Affairs' Says Williams.

Caustic Criticism of Senator Kearns Who is Designated as Master of Political Incompetency.

CHURCH BITTERLY ARRAIGNED

Protest is to be Sent to Washington Against Testimony of Witnesses in The Smoot Case.

There was an anti-"Mormon" political meeting held at Bamberger hall last night. Admission was by card and great secrecy was maintained as to those who participated in it. While it is given out that the object of the meeting was to protest against certain of the statements made by witnesses in the Smoot case at Washington, it seems certain that the public pulse is to be felt as to the propriety of organizing a new political party. To quote the language of Chairman Williams to the "News" today-'TO STAND TOGETHER AGAINST EVERYTHING MORMON IN PUBLIC AFFAIRS EVEN TO THE CONTROL OF THE SCHOOLS."

The interview with Mr. Williams disclosed anew what has ever been well known in this community; that he is bitterly opposed to the "Mormon" Church; that he is disgusted with political affairs even in the Democratic orwhich he belongs: that he has voted for a nominee for Congress but once since statehood, and that was when he gave his support to a Republi-

He was particularly caustic in his reference to Senator Kearns, whom he desimates as the great master of all political incompetents. His lack of learning and tact are a source of humiliation and shame to Utah, in Mr. Williams' ludgment, while the manner of his election, he declares to be equally bad. With such a man and such methods he thinks the Beehive state can do naught but bang its head.

WHY MEETING WAS HELD.

When Chairman Williams was seen the Deseret News today and asked er a direct and unequivocal statemen at to the purposes of the meeting he said with manifest feeling, though he poke quietly as his face flushed and his words became more and more em-

Well, it is this: Mr. Smith, President I mean, goes down to Wash. ingion and there confirms everything that has been charged against the Church in the protest against Smoot.

More than that—he calls attention to noral and social conditions here in a ner that is most shocking to me and to men of my style of thinking. whole situation is deplorable. But matter is greatly aggravated by further statement that the people of not true. Mr. Smith's people might, the others do not.

course," continued Mr. Williams, te may be some who are taking el of their fears from the dollars and cents standpoint, who do condone they are in the minority. tity want to express their disapproba-They want it known that they harmony with the people of the tited States. That is all,

KEARNS CRITICISED.

this juncture Mr. Williams divertpay his respects to the "shameeternal unfitness of ms for the United States senate by did he become a member of that orant body? I don't know in detail, is notorious that his methods not legitimate. Would he ever e been heard of for the position but s money? Every same person a he would not. What a humillas for Utah to be represented by a a man. As a mine boss he would all right, but as United States sena. ignorance-Oh, well, ht is as intolerable as the manner election was disgraceful. OBJECTIONS TO SMOOT.

Now after eight years of statehood send another man to the senate is unfit to represent us-Reed Not unfit because or ignorance esent us-Reed unfit because of personal immoral because in the abstract I believe h

tlean and good man, but because inimical to good government just for Kearns does. Now then, let me k you, if from my standpoint any-

VOTES VERY FEW TIMES.

truth is," said Mr. Williams, and back in his chair. "I dutely disgusted with the whole sation. So utterly disgusted have I so that I have voted for a congression nominee but once since Utah as aunitted to a state. The exception was for George Sutherland. I had to use for his party, but he was a peraus for George Sutherland. I had sus for his party, but he was a persent and a nice fellow and he stal fine and a nice fellow and he staking, politics is a farce in Utah, the specialse made in Washington, I am that the situation in all of its the situation in all of its an it will bring matters to a head.

WHOLLY ANTI-"MORMON."

QUESTION OF WHETHER IT IS NOT BEST TO STAND TOGETHER AGAINST EVERTHING THAT IS 'MORMON' IN PUBLIC AFFAIRS EVEN TO THE CONTROL OF THE SCHOOLS."

LAST NIGHT'S MEETING.

A further questioning of Mr. Williams elicited the fact that he was invited yesterday to attend last night's meeting, by County Recorder Meeks, who is walking up and down the earth these days seeking "Mormons" whom he may devour. In this connection it is a matter of comparative recent history how he ran up and down the face of the same old earth to corral "Mormon" votes for himself and colleagues.

As stated previously, the meeting was As stated previously, the meeting was held at Bamberger hall, 161 Main street. It said that 85 persons were in attendance. The meeting passed this motion introduced by former Judge John A.

Street:
"That the chair appoint two committees of five members each, the first to prepare for presentation at another general meeting next Monday evening a protest to Congress against the president of the Mormon Church implying that the Gentiles of Utah condoned of-fenses against the laws, and to pre-sent to Congress the true conditions as to Church domination in Utah; the sec-ond to formulate a plan of organization and campaign to meet the conditions which now exist."

Chairman Parley L. Williams appointed the following committees:
Protest—Colonel William Nelson, Dr.
E. V. Silver, H. J. Dininny, Judge John
A. Street and Major H. P. Myton.
Organization—Parley L. Williams, exofficio: George Westervelt, P. J. Daly,
E. D. R. Thompson and A. R. Derge.

COMMITTEES NAMED.

OBJECT OF THE MEETING. Judge John A. Street stated the purposes of the meeting. It was, he said, to protest against the claim that the people of Utah condoned polygamous offenses. After that Attorney Parley L. Williams was chosen chairman and John B. Moreton was made secretary. Among those who made speeches were: Chairman Williams, County Attorney Westervelt, Judge Street, P. J. Daly, Colonel William Nelson, Dr. E. V. Silver, Major H. P. Myton, P. J. Donohue, Judge C. F. Loofbourow, W. F. Wanless, J. B. Moreton and Major W.

WHAT KEARNS HOPES FOR.

It is an open secret that Senator Kearns hopes to benefit by the move-ment, which has not only his full approbation but that of Perry S. Heath as well. Both gentlemen are well aware that the Kearns and anti-Kearns forces are to be lined up in mighty battle ar-ray this fall and that it is a life and death struggle politically with the gen-tleman from Park City. He is willing to split things up in every direction and take his chances in pulling enough of the discordant elements together to again land him in the United States senate in the position where he shines so brilliantly and where the antithesis of his ability is so manifest from the viewpoint of Mr. Williams.

\$165 AN ACRE.

That is What the Payette Valley Melon Growers Are Making in Idaho.

T. B. Long, manager of the Payette Valley Melon Growers' association, is in Salt Lake today on business. He is decidedly enthusiastic regarding that section of Idaho which promises to become as famous as Rocky Fork for the production of melons. Indicative of what can be accomplished in that section, Mr. Long stated that last season one grower in the Payette valley realized the handsome sum of \$165 an acre for his cantaloupes. This year the growers intend to branch out still further, and Mr. Long is here for the purpose of arranging for transportation of the crop to the eastern markets.

BAND DISBANDED.

N. G. U. Henceforth is Minus Music-Officers Resign from Militia.

The following order relative to the First infantry band was issued from Adjt.-Gen. Burton's office today as special order No. 11: The First infantry band, on the request of te commanding officer, First infantry, and for other reasons set forth in his communication, dated Feb. 29, 1904, is hereby disbanded, and will cease to be an organization of the guard of this state from this date. All enlisted men of this organization are honorably discharged from their enlistment. The adjutant First infantry will immediately turn over all property heretofore issued for the use of the band to the assistant quartermaster general, reporting without delay to these headwarters, any shortage, if such exists. The band has been in a weak and disorganized condition for some months, especially since the resignation of Colonel Park, who practically organized it, and spent considerable money from his own pocket in keeping it on its feet.

The following special order So. 12 has been issued from the office of Adjt.-Gen. Burton relative to resignations:
The resignation of Maj. Wm. T. Denn, First infantry, having been tendered, is hereby accepted to take effect this date. He will turn over to the assistant quartermaster general such public property as may have been issued to him.
The resignation of Leut, W. P. Whittaker, company E. First infantry, having been tendered, the same is hereby accepted to take effect this date.

Capt. Lamoni Call, company E. First infantry, is granted leave of absence for a period of 15 days, with permission to leave the state. organization of the guard of this state

IDAHO POSTMASTERS.

Appointed for Ammon, Silver King and Willote.

(Special to the "News.") Washington, D. C., March 12.-Idaho postmasters appointed-Ammon, Bingham county, Ephraim S. Empey, vice Annie Hyatt, resigned; Silver King, Shoshone county, Gurley W. Spargue, vice W. M. Falconer resigned; Willota, Nez Perce county, Ezra B. Follett, vice William M. Evans, removed.

TO NAME NEW WARDEN.

State Board of Corrections in Session This Afternoon at Prison.

WHOLLY ANTI. "MORMON."

It to the movement of last night, the purpose, specifically, aside thing Dublished reports of this saked of Mr. Williams, and an ew political ANSWER WAS. "THAT IS FURTHER CONSIDER THE STATE OF THE STATE

Engagement Between Cavalry Scouts.

Russians and Japanese Meet in Conflict, the Former Retiring-Port Arthur Attacked, But Little Damage Done, the Shore Batteries Not Replying-Jap Loan Was Subscribed Three Times Over.

Seoul, Friday, March 11.—An engagement took place on the 8th inst, between Russian and Japanese cavalry scouts near Kasan, 57 miles north of Pyang Yang. One Japanese trooper was killed during the fight. The Russians eventually retired.

Che Foo, March 12.—The British collier Foxton Hall, which had been detained at Port Arthur since the first attack made by the Japanese, has just arrived here. She reports that Japanese warships coming from Talien Wan made another attack on Port Arthur at midnight on the 9th instant during a rain storm. The shore batteries did not return the fire but the armored cruiser Novik steamed outside the harbor, firing at the enemy. The Novik finally retired. She was slightly damaged. The numerous shells which exploded in the harbor and town did no injury except wrecking a house and killing a few Chinese servants. After an hour and a half of bombardment the Japanese fleet withdrew.

Washington, March 12.—The Japanese minister received today from his government a cablegram stating that the subscriptions to the loan of 100,000,000 yen exchequer bonds amount now to 346,000,000 yen. The dispatch further states that it is expected that when all the returns have been received the subscription will exceed 500,000,000 yen. These subscriptions averaging between 95 and 200 yen, will, the cablegram states, alone amount to 75,000,000 yen.

Tokio, March 12. -Sir Claude MacDonald, the British minister to Japan, through Admiral Bridge, today tendered the navy department the use of the naval hospital at Yokohama for the treatment of sick and wounded sailors. Vice admiral Yamamoto, minister of the navy, gratefully accepted the offer on behalf of Japan.

RUSSIAN FLEET PROCEEDS TO SEA.

Japanese Squadron Has Not Re- His Daring Exploit at Port Ar- Under No Circumstances Would turned Since Thursday's Bombardment.

Damage-A Number of People Killed.

Port Arthur, Friday, March 11 .- Last night passed without incident. The Japanese squadron, which disappeared after Thursday's bombardment and naval fight, has not returned. The Russian squadron proceeded to sea this morning and returned this afternoon. It is understood that no Japanese ships were sighted. Although during the bombardment a number of shells from the Japanese ships burst in the streets of the town, the damage to the buildings was

comparatively slight. comparatively slight.

The new town sustained the greatest damage. A shell burst a few yards from the beuse of M. Sidorski, a lawyer, whose wife is a daughter of Col. Baron Frank M. Sidorski, and he and his daughter were killed on the spot, the latter's head being blown off. Madana Charles ame Sidersk! was injured by fragments of the she!! and a girl named Waleritsch was wounded and died soon afterwards

in a hospital.

A Chinaman was killed and several Chinamen were wounded. Gen. Stoes-sel, the commander of the Russian while watching the bombardment from while watching the hombardment from a battery, were peppered by splinters from a shell, but restained no injuries.
On Golden Hill seut. Wachtin and one soldler were wounded. Two sentries on Electric cliff were wounded. A Japanese fron-clad was struck by a Russian shell and slowly withdrew. The bembardment, which was severe, only ceased at 12:45 in the afternoon.

Can't Shield Tax Dodgers.

Topeka, March 12.—The supreme court today decided that tax-dodgers who fail to give in the entire amount of their bank deposit, cannot be shielded by their bankers. The case came from Clay county, where the grand jury sought to examine the account of John Beliringer in the State Bank of Green and, were refused.

Murder and Suicide.

New York, March 12 .- Robert Gray, a painter, and his wife were found in their apartments here today the woman with her skull crushed in, and her husband in the bathroom having apparently committed suicide by gas asphyxiation. The case is supposed to be one of murder and suicide

Riot Over Non-Union Men.

Chicago, March 12 .- Non-union canmakers were brought into the Diesel plant of the American Can company today on a special train. The result was a riot on the railroad tracks near the factory. A number of strike pickets eluded the police and assaulted the nonunionists as the strike-breakers were leaving the train. Several non-union-ists were injured by blows and missiles, but all reached the factory. No arrests were made.

NO STAKE CONFERENCE.

It should be understood that there will be no session of the Salt Lake stake conference, which was announced some time ago for Sunday, March 13. The division of the stake has rendered the conference, which was announced some time ago for Sunday, March 13. The division of the stake has rendered the conference unnecessary. Home missionaries will visit the wards of the present stake on Sunday evening.

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Senator W. A. Clark Arrives.

New York, March 12.—Among the passengers who arrived today on the featal because of the reduction of the rest from \$1,800 to \$1,500; that Dietrich said he (Fisher), and the citizens of the place should take the fixtures this purpose,

ADMIRAL MAKAROFF IFISHER DENIES HERO OF THE HOUR.

thur Makes Him the Idol Of the People.

SHELLS BURST IN THE STREETS. HIS NAME IS ON EVERY LIP. DID NOT ASK WHAT OFFICE PAID

New Town Sustained the Greatest He Will Make the Russian Fleet an Aggressive Force in the

> St. Petersburg, March 12.-Admiral Makaroff's name is on every lip in St. Petersburg today. He is the hero of the hour. The details of Thursday's fighting in Port Arthur did not become public until this morning, when eager crowds, unmindful of a heavy snowfall, gathered about Viceroy Alexieff's bulletins which were posted at every corner. The sorrow over the loss of the Russian torpedo boat destroyer was swallowed up by the admiration caused by the daring exploit of the Russian naval commmander-in-chief in going personally to her rescue.

There is a deep-seated conviction that henceforth there will be a complete change of sea tactics. Admiral Makaroff will make the fleet at Port Arthur an aggressive force. He enjoys the reputation throughout the length and breadth of the empire of being a dashing officer who delights in brilliant achievements and his action of Thursday adds to his laurels as a bold and fearless fighter who loves to take the chances of war. His ideas run counter to those generally accepted by naval experts and strategists. One of his pet iversions is armor. The admiral is ever outspoken in his criticism of the heavy battleship, which he has always contended placed too many eggs in a sin-gle basket, and shows his partiality for a fleet composed of a large number of swift, unarmored cruisers armed with heavy guns and attended by an unlimited number of torpedo boats. The pro-tected cruiser Novik, to which he transferred his flag in the actempt to rescue the torpedo boat destroyer, is practically without armor protection. Admiral Makaroff's prediliction for swift ships has carned him the sobri-quet of the "Cossack of the Sea." He is not likely to give the enemy much rest while any of his cruisers or torpedo night torpedo boat attack on the ene-my's base behind the Elliott islands,

for instance, would be such a thing as the admiral would undertake. He began his career with several gallant exploits during the Turko-Russian while commanding a steamer which he had rigged up as a torpedo boat and played havoc with the sultan's flotilla in the Black sea and Danube. Prince Asezrine Krageorgevitch, bro-ther of the king of Servia, is leaving The Ladies' club at Vladivostok has

bags for fortification purposes. A POLITICAL SHOOTING. Grew Out of Differences In Democratic Party at Kansas City.

undertaken to make thousands of sand-

Kansas City, March 12.—A shooting growing out of the split in the ranks of the Democrats of Kansas City, occurred today when Cash Weich, an agent of the faction, headed by Mr. George M. Shelly, former mayor, wounded Martin Martin, sergeant-at-arms at the convention being held by the fol-lowers of William T. Kemper, candi-date for mayer. The men quarrelled at the door of the hall, when Welch shot

HAUN'C CTATEMENT DADA 2 STATEMENT

He Have Asked About (F's) Appointment.

Senator Hoar Objected to Francis's Question About District Attorney.

Washington, March 12 .- Jacob Fisher, the present postmaster at Hastings, Neb., resumed his statement today before the special senate committee appointed to investigate the charges against Senator Dietrich. Senator Spooner attended today's meeting, but Senator Cockrell was absent.

Mr. Fisher said that at the time he was appointed postmaster his relations with Hahn had been rather unfriendly; that previous to that time Hahn made daily visits to his (Fisher's) place of business, but that the visits stopped when he received news of his appoint. ment. He did not recall any visit by Hahn on April 23, and he was sure that under the circumstances that he would not have asked Hahn what he thought of his (Fisher's) appointment as Hahn's successor as Hahn testified.

"That statement I absolutely deny," said the witness. He also said that he had not asked Hahn what the office paid and flatly contradicted Hahn's statement that he had asked Hahn to consult a lawyer for him to ascertain whether he would have to pay a note he might give to Dietrich to secure the

appointment. I never asked him," he said, "and no note was given."
Edwin C. Francis, deputy postmaster eneral at Hastings under Fisher, was the next witness. Replying to ques-tions by Mr. Platt he said that he had agreed to pay half the rental of the back room of the Dietrich building and had done so for five months, the total being \$41. The arrangement was that he would have half of any proceeds de-rived from the room. They had made an effort to rent the room to the Western Union Telegraph company, but had failed. He said these arrangements on account of the room had nothing to do with his salary. He contradicted the statement of Mr. Hahn that he assented to a statement that he (Francis) had to pay \$100 to Mr. Dietrich or that he had told Hamman that Fisher had paid \$200 to Mr. Dietrich. Mr. Francis testified that he had had a conversation with Dist. Atty. Sum-mers relative to testifying before the grand jury in the case of Dietrich. Mr. Batty then asked for the particulars of that conversation but before he could reply, Mr. Hoar interposed with an inquiry as to the purpose of the examina-

"We want," Mr. Batty replied, "to show the pressure that the district attorney puts upon witnesses in these cases; that he told the witness that if he did not testify he was himself liable to prosecution and imprisonment. Mr. Hoar suggested that such a line of inquiry would broaden the inquiry

to an undesirable extent and after conversation with Senator Dietrich the attorney temporarily withdrew the ques-Hardy Gregory, a postoffice inspector, testified to conversations he said he had last December with Fisher and Francis relative to moneys paid to Die trich on account of the back room par-

titioned off from the postoffice. Fisher's

for the furniture. The wit-ness also said that Fisher and Francis told bim about the rental of the back room, but their statements as related by Gregory did not differ materially from their statements to the committee. He said that Francis had told him that Fisher in returning the rent money for the room had said that Dietrich had refunded the money saying that there had been some com-ment about the transaction and he did not want to continue the arrangeme These conversations had, Gregory said, occurred at Omaha, at the time the grand jury investigation into the Dietich case was in progress. Senator Dietrich elicited statements from the witness that a voucher which he carried to Hastings was for payment for certain fixtures and also for the payment of the transfer of the postoffice. The bids for the removal came

that Fisher had said that he would not ask the people but would do so him-self. After this Dietrich had told Fisher that when he went to Washing-

on he would recommend Fisher's ap-

pointment as postmaster, although it was understood the appointment was

m no way dependent upon the payment

through the former postmaster, Mr. Hahn. Mr. Dietrich endeavored at this time to bring out from the witness that if there was an extortionate price attached to the removal of the office it was regular, having had the sanction of the postoffice department. Senator Hoar suggested that this was wholly a matter with the postoffice department, and ruled that the matter was not germane. The committee took a recess un-til this afternoon

CAR-BARN BANDITS MUST ALL HANG.

Chicago, March 12 .- Hanging for all was the verdict of the jury today in the first murder case against the so-called car-barn bandits, Harvey Van Dine, Peter Niedermeier and Gustav Marx. The trio attained notoriety by a desperate all-day battle that started in a dug-out near Liverpool, Ind., where they had taken refuge after a series of remarkable crimes, including the murder of two employes of the Chicago City railway at one of the company's car barns in this city, the motive in each instance being robbery. Emil Roeski, who was with the bandits in the dug-out and who participated in many of their crimes, is to be tried separately, not having been implicated directly in the particular murder for which his

account of a temporary diversion of opinion to make the puinshment alike A confession on the part of Mark led to the discovery of the hiding authorities ever directed whole bodies place of the other bandits. Mark entered a plea of guilty and begged for mercy, while the other bandits attempted to brazen out a plea of innocence. Hereditary epilepsy also was pleaded in the case of Van Dine.

The bandits heard their doom stolid-ly. The mother of Van Dine was in the court room. Niedermeier's mother was also present. Neither woman made any outcry. The mother of Marx did not appear. She was said to be at home in a state bordering on collapse.

U. S. Steel Co. Report.

New York, March 12 .- The second annual report of the United States Steel corporation, dated March 1, issued today, shows the net earnings for the year, after deducting expenditures for maintenance and interest on bonds and fixed charges of subsidiary companies were \$109,171,152, compared with \$133,-308,763 in 1902.

There was charged off last year for depreciation in inventory valuation and for the adjustment of sundry accounts \$5,378,837. The previous year nothing was charged off to this account. Dividends on the preferred stock in 1902 amounted to \$30,404,173, as against

\$35,720,117 in 1902. Undivided profits for 1903, \$12,304,916, as against \$34,263,656. Payments for account of common divdend in 1903 were \$12,707,562, compared with \$20,332,690 in 1902. It is declared that the physical condition of the properties have been not only fully main-tained; but greatly improved and strengthened by these extensive out-

SALT LAKE PORT.

House Passes Bill to Make This City a Port of Entry. After passing 264 pension bills and a bill making Salt Lake City, Utah, a

port of delivery the house adjourned

until Monday. Condition of Wounded. Tokio, March 12.-The condition of the

wounded Russians treated at the Japchese Red Cross hospital who do not show any unusual symptoms, is thought here to prove that there is no truth in the Russian allegation in regard to the preliminary poisonous nature of the gaseous exhalations from the Japanese shells and torpedoes. That statement in the Russian report

that the Japanese used lyddite in the bembardment of Vladivostok is believed to have been made with the object of conveying the impression that Great Britain supplied this explosive. The report that Russia is sending submarine boats overland to the far east is much commented upon, observers facetiously recalling the Russian emperor's proposal at The Hague

peace conference that the use of sub-marine boats ought to be condemned as being uncivilized. P. O. Investigation Committee. Washington, March 12.-When the house met today Speaker Cannon an-nounced the special committee provided for in the McCall resolution, agreed to in the house yesterday, to investigate

the "indictment report of the postoffice department," as follows: McCall, (Rep.) Mass.; Hill, (Rep.) Ill.; Burton, (Rep.) Ohio; Metcalf, (Rep.) Cal.; McDermott, (Dem.) New Jersey: Bartlett, (Dem.) Georgia, and

Richardson, (Dem.) Ala. Orders to Capt. Sawyer.

Washington, March 12 .- It is said here that while orders will be issued from the navy department to Capt. Sawyer, commanding the gunboat He-lena, to withdraw from Newchwang, it may be that Admiral Evans, command ing the Asiatic fleet, has given such a direction. It is, of course, realized that the Helena would be in a disagree-able position if the port were bombarded and she serves no useful purpose in her present berth. There is no dispo-

AGAINST SMOOT.

E. B. Critchlow Closely Questioned Regarding the Great Antagonism to Him.

EFFECT OF LEILICH'S CHARGES.

Attorney Van Cott Wanted to Know If They Were Not the Chief Cause.

THE WITNESS TRIED TO EXPLAIN

He Thought Not and Said They Caused Surprise in Face of Statement In the General Protest.

(Special to the "News.") Washington, D. C., March 12 .- Interest in the Smoot hearing is flagging. Senator Burrows waited until 11:26 before calling upon Mr. Critchlow to resume the stand, and during nearly the entire session but three senators attended. It was intended to conclude the cross examination of Mr. Critchlow during the morning session and to devote an hour to Judge Hiles this afternoon, but when recess was ordered at I o'clock Critchlow was still on the stand. His testimony was very largely of a hearsay character so far as it related to the practises and rules of the associates were first arraigned.

The verdict of the jury was delayed from yesterday afternoon until today on ities certainly do control the temporal Church, but he was somewhat emphataffairs of the officers of the Church, and while he did not charge that these of "Mormons" to vote this or that ticket, he did assert that the authorities would direct some of those under them how to vote. Asked if he believed that Senator Smoot would be more amenable to control as an Apostle than as a lay member, he gave it as his opinion that he would be because by refusing to obey his quorum he would have more to lose than a lay member would. This was perhaps the most important statement in his testimony today. On the whole the hearing was devoid of interest and sensationalism, there was a larger attendance of women than usual, Dr. Mary Walker being one of the

> audience. At each senator's place at the table was a bundle of books containing copies of the Doctrine and Covenants, Book of Mormon, Articles of Faith and Pearl of Great Price. These were the volumes promised by President Smith and they will be carefully studied by most members of the committee during

Washington, March 12 .- The absence of a quorum caused a delay in calling to order the senate committee on privileges and elections which is investigating the protest against Senator Reed Smod. Mr. Critchlow, formerly a United States attorney in Utah, again took the stand, and his cross-examination was continued by Waldemar Van Cott, one of the attorneys for the defense. Sentiment against Mr. Smoot was the subject of inquiry by Mr. Van Cott, who asked specifically if a wave of antagou-ism to the "Mormon" senator was not created by the Lellich charges that Mr. Smoot was a polygamist. Mr. Critchlow thought that had not been the effect, though there had been much surprise that this was made in face of the state. ment in the general protest that Mr. Smoot was not charged with polygamy, Little interest was taken in the examination and only two members of the committee remained in their seats to the greater part of the forenoon hear-

(Continued on page two.)

RIFLE AND PISTOL DUEL.

One Took Place Through a Door Of a Chicago Suburb House.

Chicago, March 12.-A rifle and pistol uel through the barred oor of the strucduel through the barred oor of the structure that was the Delaware state building at the world's fair, took pince today in the suburb of Hegewich, where the building now stands. Ellis Bennett, the owner of the so-called "Delaware House," has been betricaded in the place since yesterday defending a "squatter" claim to 160 acres of surrounding hand. Deputy Sheriff Long attempted to, enter the house. Bennett greeted the officer with two rifle shots. The deputy, revolver in hand answered with two shots through the door. All was quiet following the shoting. It is not known whether the officer's shots hit any one. The place may be taken by storm.

Libel Law Unconstitutional.

Topeka, Kan., March 12.—The newspaper libel law enacted by the legislature in 1901, was today declared unconstitutional by the supreme court. The court says that the law is in conflict with section 18 of the bill of rights, in this that it denies the right in certain cases to one injured in his reputation to have remedy therefor in due course of law. The decision is made in a case brought by J. F. Hanson, a Lindsborg attorney, against W. J. Krebheil, attorney of the McPherson Republican.

Kaiser Sails for Mediterranean.

Bremerton, Germany, March 12 .- Emeror William salled today for the the Mediterranean on the North German steamer Koenig Albert. On his arrival at Vigo, Spain, he will be met by the king of Spain.

Senator W. A. Clark Arrives.

for mastoiditis,